

**AMENDMENT UNDER 37 C.F.R. § 1.111**

U.S. Application No. 09/332,996

**Q54651**

**REMARKS**

Claims 1-10 are all the claims pending in the Application.

Applicant thanks the Examiner for acknowledging the claim for foreign priority and receipt of the priority document.

Applicant also thanks the Examiner for reviewing and considering the references cited in the Information Disclosure Statement filed February 23, 2000.

The Examiner objected to the drawings filed June 15, 1999 under 37 C.F.R. § 1.83(a) and 37 C.F.R. § 1.84(p)(4). Submitted herewith are Corrected Drawings.

The Examiner objected to the Specification, page 2, third full paragraph. The Specification is amended and is now believed to be acceptable. The Examiner is respectfully requested to state the acceptability of the Specification and the Drawings in the next Office correspondence.

***Claim Rejections - 35 U.S.C. § 112***

Claims 1-5 are rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. This rejection is traversed.

Claim 1 is amended to recite that the cell generator is disposed in the exchange. This amendment is not a narrowing amendment.

Applicant believes that this amendment fully addresses the Examiner's concern in this rejection and that claim 1 is now allowable.

Claims 2-5 depend, directly or indirectly, from independent claim 1 and were rejected because of their dependence therefrom. Since claim 1 is now believed to be allowable, claims 2-5 should now also be allowed.

***Claims Rejections - 35 U.S.C. § 112***

Claims 6-10 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. This rejection is traversed.

Applicant submits that a person of ordinary skill in the art would have readily understood claim 6 as written. However, claim 6 is amended to remove the antecedent basis issue and is now believed to be allowable. This amendment is not a narrowing amendment.

Claims 7-10 depend, directly or indirectly, from independent claim 6 and were rejected because of their dependence therefrom. Therefore, since claim 6 is now believed to be allowable, claims 7-10 are also believed to be allowable.

***Claim Rejections - 35 U.S.C. § 102***

Claims 1-3 and 6-8 are rejected under 35 U.S.C. § 102(e) as being anticipated by Watanabe, et al. (U.S. Patent No. 5,568,479). This rejection is traversed.

Applicant's claimed invention defines a new and nonobvious subscriber network system and method of setting information in a network concentrator. For at least the following reasons, Applicant's claimed invention is neither anticipated by nor obvious over the prior art.

Independent claims 1 and 6 require, *inter alia*, a subscriber network system formed by a connection of an ATM exchange and subscribers through concentrators.

Watanabe discloses a system for controlling a miscellaneous device such as remote device associated with an exchange, which system handles a fixed length cell with a control field and an information field. Watanabe discloses a system comprising an exchange, capable of controlling miscellaneous devices, and including a call processor, a switch and a signal device. Control information from the processor is cellulated.

However, Watanabe does not disclose a subscriber network system, which is formed by connecting an ATM exchange with a plurality of subscribers through ATM concentrators. In addition, the system disclosed by Watanabe differs from the present invention, because the system by Watanabe does not include key elements of the present subscriber network system, such as the ATM exchange 100, the ATM concentrators 200 connected to the ATM exchange 100, and ATM network lines connecting the ATM exchange, ATM concentrators 200 and subscribers, and the call control processing portion 120, and cell inserting and separating portion 210 provided with multiplexing portion 250. Accordingly, the present invention is neither anticipated nor rendered obvious by the disclosure of Watanabe. Accordingly, Watanabe does not disclose or suggest Applicant's invention, as claimed in claims 1 and 6.

Claims 2 and 3 depend from claim 1; claims 7 and 8 depend from claim 6. Therefore, claims 2, 3, 7 and 8 incorporate new and nonobvious features of claims 1 and 6, and are patentably distinguishable over the prior art for at least the reasons that claims 1 and 6, respectively, are patentably distinguishable over the prior art.

***Claim Rejections - 35 U.S.C. § 103***

Claims 4-5 and 9-10 are rejected under 35 U.S.C. § 103 as being obvious over Watanabe in view of Manning, et al. (U.S. Patent No. 5,896,511). This rejection is traversed.

Manning discloses a method and apparatus for providing buffer state accounting at a linked level, otherwise known as link flow control, in addition to flow control at a virtual connection level. Manning provides an improved system for controlling a distributed switching architecture by a Flow Controlled Virtual Connection (FCVC) protocol.

Manning differs from the present invention, because Manning does not disclose the subscriber network system of the present invention, which is formed by connecting an ATM exchange at the center with a plurality of subscribers through ATM concentrators located at remote places, and which comprises the key elements such as the ATM exchange 100, the ATM concentrators 200 connected to the ATM exchange 100, and ATM network lines connected with subscribers, and the cell inserting and separating portion 210 provided with multiplexing portion 250.

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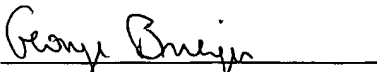
Manning does not remedy the deficiencies of Watanabe, as they relate to independent claims 1 and 6. Accordingly, the present invention is neither disclosed nor rendered obvious by the prior art, including the combination of Watanabe and Manning taken as a whole.

Therefore, claims 4 and 5, which depend from independent claim 1, and claims 9 and 10, which depend from independent claims 6, are patentably distinguishable over the prior art for at least the reasons that claims 1 and 6 are patentably distinguishable over the prior art.

In view of the foregoing remarks, reconsideration and allowance of this Application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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WASHINGTON OFFICE



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Date: June 25, 2003